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*Attorneys for Defendant Rocky Mountain Hospital and Medical Service, Inc.
 d/b/a Anthem Blue Cross and Blue Shield and HMO Colorado, Inc. d/b/a HMO Nevada*

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

STEVEN P. BRAZELTON, an Individual;
 NATHALIE HUYNH, an Individual; and JHB,
 an Individual,

Plaintiffs,

vs.

ROCKY MOUNTAIN HOSPITAL AND
 MEDICAL SERVICES, INC., a Colorado
 Corporation doing business as HMO Nevada,
 Anthem Blue Cross and/or Blue Shield; HMO
 COLORADO, INC., a Colorado Corporation
 doing business as HMO Nevada, Anthem Blue
 Cross and/or Blue Shield; BLACK
 CORPORATIONS 1-10, AND DOES I-X,
 INCLUSIVE,

Defendants.

Case No. 2:24-cv-00994-GMN-BNW

**STIPULATION TO EXTEND
 DISCOVERY DEADLINES**

(SECOND REQUEST)

Plaintiffs, Steven P. Brazelton, Nathalie Huynh, and JHB (“Plaintiffs”) and Defendant Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield (“Rocky Mountain”) and HMO Colorado, Inc. dba HMO Nevada (“HMO Colorado”) (collectively, “Defendants”) by and through their respective counsel, hereby stipulate and agree, subject to the Court’s approval, to extend certain discovery and pretrial deadlines. This is the second request to modify the Stipulated Discovery Plan and Scheduling Order [ECF No. 29], which was previously modified by the Parties’ Stipulation to Extend Discovery Deadlines (First Request) {ECF No. 33}:

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1 **1. A Statement Specifying the Discovery Completed to Date:**

2 On August 19, 2024, Plaintiffs served notice of third-party subpoenas on Syracuse RTC, LLC
3 dba Elevations RTC; and Denials Management, Inc.

4 On August 28, 2024, Plaintiffs served their FRCP 26 Disclosures, together with an index of
5 documents identified as B0001-B2169. On August 28, 2024, Defendant HMO Colorado served its
6 Initial Disclosures, and on the same day, Defendant Rocky Mountain served its Initial Disclosures.

7 On September 18, 2024, the Court approved and entered the Parties' Protective Order and
8 Confidentiality Agreement [ECF No. 31] ("Protective Order").

9 Following the entry of the Protective Order, Defendant HMO Colorado produced its
10 documents identified as DEF_0000001-DEF_0001069, all identified as "Confidential" pursuant to the
11 Protective Order.

12 On September 30, 2024, Plaintiffs served notice of third-party subpoenas duces tecum to Sutter
13 Health; and The Menninger Clinic. On October 7, 2024, Plaintiffs served notice of third-party
14 subpoenas duces tecum to Reno Behavioral Healthcare Hospital, LLC; and Willow Springs, LLC.

15 Additionally, on October 15, 2024, Plaintiff Steven P. Brazelton served his First Set of
16 Interrogatories to HMO Colorado, Inc., and Plaintiff Nathalie Huynh served her First Set of
17 Interrogatories to HMO Colorado, Inc. Finally, on October 15, 2024, Plaintiff JHB served her First
18 Request for Production of Documents to HMO Colorado, Inc., and served her First Set of
19 Interrogatories to HMO Colorado, Inc.

20 On November 7, Plaintiffs served notice of third-party subpoenas duces tecum to Willow
21 Springs, LLC.

22 On November 21, 2024, Plaintiffs served notice of a motion to compel nonparty response to
23 subpoena, filed as ECF No. 1 in Case 2:24-at-1470 in the Eastern District of California, seeking to
24 compel non-party Sutter Health's compliance with a third-party subpoena.

25 On December 2, 2024, Plaintiffs served notice of amended subpoena duces tecum to Willow
26 Springs, LLC.

27 On December 4, 2024, Defendant HMO Colorado served its Objections and Responses to
28 Plaintiff JHB's First Set of Interrogatories to HMO Colorado, Inc.; its Objections and Responses to

1 Plaintiff JHB's First Request for Production of Documents; its Objections and Responses to Plaintiff
2 Nathalie Huynh's First Set of Interrogatories to HMO Colorado, Inc.; and Defendant HMO Colorado,
3 Inc.'s Objections and Responses to Plaintiff Steven P. Brazelton's First Set of Interrogatories to HMO
4 Colorado, Inc.

5 On December 5, 2024, Plaintiffs served their First Supplemental FRCP 26 Disclosures.

6 **2. A Specific Description of the Discovery That Remains to Be Completed:**

7 Plaintiffs are in the process of collecting medical records, billing records, and other information
8 and/or documents pertinent to their claims in this matter.

9 Similarly, Defendants are in the process of collecting additional medical records, billing
10 records, and other information and/or documents pertinent to their defenses in this matter.

11 Plaintiffs and Defendants will continue to supplement their disclosures and it is anticipated
12 that the Parties will seek to schedule depositions of parties and witnesses. The extended time will
13 allow adequate time for the Parties to conduct discovery, including propounding and answering written
14 discovery, retaining expert witnesses, and scheduling party, third-party, and expert witness
15 depositions.

16 **3. Reasons Why Discovery Was Not Completed and Why an Extension is Necessary:**

17 On August 29, 2024, the Parties submitted their Stipulated Discovery Plan and Scheduling
18 Order [ECF No. 28], which was approved by the Court on August 30, 2024. [ECF No. 29].

19 On November 14, 2024, the Parties submitted their Stipulation to Extend Discovery Deadlines
20 (First Request) [ECF No. 33], which was approved by the Court on November 18, 2024. [ECF No.
21 34].

22 In the interim, Plaintiff Steven P. Brazelton became ill, rendering him unable to participate in
23 discovery for nearly two months and delaying completion of discovery-related deadlines. In November
24 2024, Plaintiffs filed a motion to compel Sutter's compliance with Plaintiffs' subpoena that is pending
25 in the United States District Court in Sacramento (Case 2:24-at-01470). The Parties are currently
26 working together to develop a plan for ESI discovery. The Parties are also currently working together
27 in a cooperative effort to resolve disputes regarding Defendant's objections to Plaintiffs' written
28 discovery.

Through counsel, the Parties recently conferred about the need for additional time to collect, exchange, and analyze relevant documents and to conduct preliminary case resolution discussions. In light of these needs, the Parties mutually agree, subject to the Court's approval, to a further extension of all discovery-related deadlines by ninety (90) days.

The Parties agree that no Party will be prejudiced by the requested amendment to the Scheduling Order and that such an extension was not brought for any improper purpose. The Parties agree that as to the deadline for expert witnesses, excusable neglect exists to extend this deadline, since, despite the Parties' diligence, Plaintiffs are still in the process of collecting documents pertinent to their claims.

4. Proposed Schedule for Completing all Remaining Discovery:

The Parties respectfully request that this Court enter an Order setting the following schedule for all remaining discovery:

Description	Current Deadline	Proposed Deadline
Initial Expert Disclosures	February 12, 2025	May 13, 2025
Rebuttal Expert Disclosures	March 17, 2025	June 16, 2025
Discovery Cut off	April 14, 2025	July 14, 2025
Dispositive Motion Deadline	May 13, 2025	August 11, 2025
Joint Proposed Pretrial Order	June 12, 2025 or In the event that dispositive motions are filed, this date is suspended until thirty (30) days after the Court enters its decision on the dispositive motion(s)	September 10, 2025 or In the event that dispositive motions are filed, this date is suspended until thirty (30) days after the Court enters its decision on the dispositive motion(s)

Good cause exists here because the parties have been diligently working to conduct necessary discovery, engage in discussions regarding resolution of the matter, and need additional time for expert disclosures in light of outstanding discovery.

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This stipulation is without prejudice to either party, is made in good faith, with good cause, and not for the purposes of unduly delaying discovery or trial.

Dated this 12th day of February, 2025.

Dated this 12th day of February, 2025.

PETERSON BAKER, PLLC

LAW OFFICES OF STEVEN BRAZELTON

/s/ Tamara Beatty Peterson

/s/ Steven P. Brazelton

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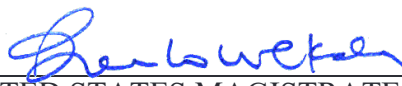
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*Plaintiffs in Propria Persona
And Attorneys for JHB*

*Attorneys for Defendant Rocky Mountain
Hospital and Medical Service, Inc. d/b/a
Anthem Blue Cross and Blue Shield and
HMO Colorado, Inc. d/b/a HMO Nevada*

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

Dated: February 13, 2025

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